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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBIN L. SMITH,

Plaintiff,

v.

NORTIA CAPITAL PARTNERS, INC.,

Defendant

ECF CASE

CASE NO. 08 CV 01692 (NRB)
(DF)

**NOTICE OF MOTION TO
DISMISS THE COMPLAINT, OR
IN THE ALTERNATIVE, FOR A
MORE DEFINITE STATEMENT
AND TO STRIKE
DEMANDS FOR ATTORNEYS'
FEES AND PUNITIVE
DAMAGES**

PLEASE TAKE NOTICE that, upon the accompanying Affidavit of William J. Bosso, and the accompanying Memorandum of Law, Nortia Capital Partners, Inc. ("Nortia"), by and through its undersigned counsel, and pursuant to *Fed. R. Civ. P.* 12(b)(2), (6) and (7), 12(e), and 12(f), and *S. D. N.Y. L. R.* 7.1, makes a special and

limited appearance, and hereby moves the Court, before the Hon. Naomi Reice Buchwald, United States District Judge, United States District Court for the Southern District of New York, 500 Pearl St., New York, NY 10007, for an Order dismissing the Complaint, or in the alternative, for a more definite statement and striking demands for attorneys' fees and punitive damages and granting Nortia such other and further relief as is just.

Dated: New York, New York
May 8, 2008

Respectfully submitted,
s/Jennifer L. Saffer
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-AND-

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